

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Klinksiek, et al.
Serial No. : 10/679,123
Filed : October 3, 2003
For : PROCESS FOR PRODUCING PULVURENT ACTIVE
SUBSTANCE FORMULATIONS WITH COMPRESSIBLE
FLUIDS
Art Unit : 1615
Examiner : Snigdha Maewall

September 17, 2010

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR 1.131

Sir:

We, the undersigned, citizens of Germany, hereby declare as follows:

1. We are the joint inventors of the subject matter disclosed and claimed in the above-identified application.
2. At a time prior to July 11, 2002 we prepared an invention disclosure record and draft patent application and forwarded it to our German Patent Attorney, Dr. Elmar Bramer-Weger, with a request that he prepare the formal application "for fast handling", as evidenced by an email dated May 24, 2002 from Dr. Bellinghausen to Dr. Bramer-Weger. A copy of that email and an English translation thereof, is attached hereto as Exhibit A, and a copy of the

draft patent application, together with an English translation of the relevant sections, is attached as Exhibit B.

3. On June 18, 2002 Dr. Bellinghausen and Dr. Bramer-Weger met to discuss the present invention and the draft patent application. As evidence of this we attach Exhibit C, which is a copy of an email letter dated June 20, 2002 from Dr. Bellinghausen to Dr. Bramer-Weger, concerning their meeting of June 18, 2002. The letter bears the reference number LeA 36 130, which is our internal docket number for this application.

The attachment to the email, identified "2. Bild 1 ohne Kühlung 7 u 8", is a file comprising Fig. 1 as later filed with the application.

4. On August 16, 2002, Dr. Bramer-Weger sent us a revised draft of the application. As evidence of this, we attach Exhibit D, which is a copy of Dr. Bramer-Weger's letter to Dr. Bellinghausen, enclosing the revised draft and asking the inventors for their comments on the revised draft, and asking them to answer some specific questions about the invention. A copy of the revised draft of the application, bearing our docket number LeA 36 130 and the date of August 16, 2002, is attached as Exhibit E.

5. Attached as Exhibit F is a copy of our response to Dr. Bramer-Weger's questions, dated September 16, 2002.

6. The application was actually filed on October 18, 2002.

7. From the foregoing it can be seen that between the time of the conception, which was prior to June 18, 2002, and the constructive reduction to practice by filing the original application in Germany on October 18, 2002, we worked diligently to prepare and file the original application, thereby reducing the invention to practice.

We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

2010-09-20

Inventor

Bernd Klinksieck
Bernd KLINKSIEK

Lars OBENDORF

Rainer BELLINGHAUSEN

Marcus EICHMANN

We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

Inventor

2010-09-24

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We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

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Bernd KLINGSIEK

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2010-03-22



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We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

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